WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO
A ROAD IMPACT FEE REIMBURSEMENT AGREEMENT
WITH WEST VALLEY PAVILION, LLC, FOR ROADWAY
IMPROVEMENTS ON PARKWAY BOULEVARD**.

WHEREAS, West Valley Pavilion, LLC, is currently developing a project known as West Valley Pavilion Subdivision located at approximately 5600 West to 5715 West on Parkway Boulevard; and

WHEREAS, West Valley Pavilion, LLC, has agreed to provide certain roadway improvements to the City's major roadway system in excess of those necessary to provide for adequate access to their development; and

WHEREAS, Section 8-4-103(4) West Valley City Municipal Code, provides that the City may reimburse developers for the cost of constructing improvements to the City's major roadway system to the extent that those costs exceed the cost that the developer is obligated to expend under City Ordinances and state law for road improvements; and

WHEREAS, an Agreement has been prepared for execution by and between the City and West Valley Pavilion, LLC to provide for reimbursement to West Valley Pavilion, LLC, for qualifying road improvements. A copy of said Agreement is attached hereto and entitled Road Impact Fee Reimbursement Agreement. This Agreement sets forth the rights, duties, and obligations of each of the parties thereto; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interest of the health, safety, and welfare of the citizens of West Valley City to approve the Road Impact Fee Reimbursement Agreement with West Valley Pavilion, LLC.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of West Valley City, Utah, that the Road Impact Fee Reimbursement Agreement is hereby approved and the Mayor is hereby authorized to execute said document for and in behalf of West Valley City, subject to approval of the final form of the document by the City Manager and the City Attorney's Office.

PASSED, **APPROVED**, and **MADE EFFECTIVE** this _____ day of _____, 2009.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER